

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

HAKEEM LEWIS,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:23-cv-699
	)	
GUILFORD COUNTY SHERIFF,	)	
	)	
Respondent.	)	

**ORDER**

On August 24, 2023, the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 2, 3.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 2), is **ADOPTED. IT IS FURTHER ORDERED** that this action is construed as a habeas petition under 28 U.S.C. § 2254 and is **DISMISSED WITHOUT PREJUDICE** to Petitioner filing a new petition that corrects the defects of the current Petition. The new petition must be accompanied by either the five-dollar filing fee or a current application to proceed in forma pauperis.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 16th day of October, 2023.

  
\_\_\_\_\_  
United States District Judge